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AUSTRALIA

In re Application of :
John Peter GAHAN :
Application No.: 09/600,320 :
PCT No.: PCT/AU98/00767 :
Int. Filing Date: 17 September 1998 :
Priority Date: 06 October 1997 :
Attorney Docket No.: None :
For: ROTARY TWO-STROKE ENGINE :

DECISION ON
PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 16 July 2000 in the above-captioned application is hereby **GRANTED** as follows:

The appropriate petition fee for a small entity as required by 37 CFR 1.17(m) has been submitted.

All of the requirements of 37 CFR 1.137(b) for revival have been submitted. Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional" meets the requirement of 37 CFR 1.137(b)(3).

A review of the declaration of the inventor filed with the petition reveals that it is in compliance with 37 CFR 1.497. However, it should be noted that the declaration did not contain the claim for priority under 35 U.S.C. 119 to Australian patent application 9721155.1 filed 06 October 1997, as indicated in the publication. Applicant is also notified that the money submitted in this application is short of \$15. The Office only received \$1,140 rather than \$1,155 as indicated in the fee calculation sheet.

Applicant's claim for priority is acknowledged. The application has an international filing date of 17 September 1998 under 35 U.S.C. 363 and a date of 16 July 2000 under 35 U.S.C. 371(c).

The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application is being forwarded to the United States Designated/Elected Office for further processing.



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NNH/RC:hn



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